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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT
(Yuba)**

THE PEOPLE,

Plaintiff and Respondent,

v.

DARRELL LEE DONALDSON,

Defendant and Appellant.

C080357

(Super. Ct. No. CRF14-204)

This case comes to us pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). Having reviewed the record as required by *Wende*, we affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

BACKGROUND

A felony complaint charged defendant Darrell Lee Donaldson with 10 counts of grand theft. (Pen. Code, § 487, subd. (a).) The complaint alleged that defendant stole heavy equipment, including two tractors and a forklift. Pursuant to a negotiated disposition, defendant pleaded no contest to one count of grand theft. With respect to the theft offense, defendant admitted that he knowingly stole an orange tractor worth approximately \$10,000 with the intent to permanently deprive the owner thereof. As part of the plea agreement, the remaining counts as well as charges in two separate cases¹ were dismissed with *Harvey*² waivers. The trial court placed defendant on probation for a period of five years conditioned on serving one year in county jail, with credit for time served of one day. The trial court also ordered victim restitution and imposed various fines and fees. Defendant filed a timely notice of appeal.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. To date, defendant has not filed a supplemental brief. Having undertaken an examination of the entire record pursuant to *Wende*, we find no arguable error that would result in a disposition more favorable to defendant.

¹ The charges in those cases arose out of defendant's issuance of a check without sufficient funds and defendant's false reports regarding the theft of two vehicles.

² *People v. Harvey* (1979) 25 Cal.3d 754.

DISPOSITION

The judgment is affirmed.

BUTZ, Acting P. J.

We concur:

MURRAY, J.

DUARTE, J.